

October 26, 2014

Office of the General Counsel
Federal Election Commission
999 E. Street, NW
Washington, DC 20463

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2014 NOV -3 AM 9:10

OFFICE OF GENERAL
COUNSEL

From: Vic Meyers for Congress

P.O. 2662

Parker, CO 80134

RE: Ken Buck and Ken Buck for Colorado

MUR 6901

To Whom It May Concern:

Pursuant to 2 U.S.C. 441d and 11 CFR part 110 please accept this letter as a Complaint against Ken Buck and Buck for Colorado for operating in violation of the Federal Election Campaign Act of 1971 as amended (the "Act"), and Federal Election Commission ("FEC") regulations and, more specifically, for violation of the disclaimer requirements set forth in 11 CFR 110.11(b)(1).

Pursuant to 2 U.S.C. 434 and 11 CFR part 104 please accept this letter as a Complaint against Ken Buck and Buck for Colorado for operating in violation of the Federal Election Campaign Act of 1971 as amended (the "Act"), and Federal Election Commission ("FEC") regulations and, more specifically, for violation of the disclaimer requirements set forth in 11 CFR 104.13.

I. Facts

- a. On October 15, 2014 Ken Buck and/or Buck for Colorado did start airing an advertisement on radio in Colorado's 4th Congressional District titled "A Great America". Said radio advertisement does not contain a disclaimer stating it is paid for by Ken Buck for Colorado.
- b. On September 25, 2014 Ken Buck and/or Buck for Colorado did publish in the Denver Post an advertisement titled "Ken Buck: Democrats Chill Free Speech By Halting Citizens United Film"
- c. On October 24, 2014 the Denver Post, in their online blog called The Spot, did advertise a promotional video for Buck for Colorado by posting a link to its online location.
- d. On October 24, 2014 the Denver Post owned Longmont Times-Call did endorse Ken Buck for election to the United States Congress in Colorado Congressional Dist. 4.
- e. The Denver Post-owned Longmont Times-Call did refuse to interview opposing candidates.
- f. The Denver Post-owned Longmont Times-Call has not been to any event or public appearance in which Ken Buck's opponents were present and/or speaking.
- g. Neither the Denver Post nor the Denver Post-owned Longmont Times-Call has discussed in any reporting the opponents of Ken Buck except in stories that were primarily about candidate Ken Buck.
- h. On October 18, 2014 the Denver Post did endorse Ken Buck for election to the United States Congress in Colorado Congressional Dist. 4. In this endorsement they ignored the self-imposed metrics used to determine endorsements as found in their October 10, 2014 endorsement of Cory Gardner for U.S. Senate where it says Congress needs "fresh leadership, energy and ideas.
- i. Neither Ken Buck nor Buck for Colorado has disclosed in their campaign finance reports in-kind contributions for advertising by the Denver Post.

II. Relevant Law

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- a. The Act and FEC regulations require any radio advertisement to disclose that said advertisement "is paid for and authorized by a candidate, an authorized committee of a candidate, or an agent of either of the foregoing, the disclaimer must clearly state that the communication has been paid for by the authorized political committee." 110.11 Communications; advertising; disclaimers (2 U.S.C 441d) (b)(1)
- b. The Act and FEC regulations define contribution to include "any gift, subscription, loan, advance, or deposit or money or anything of value made by any person for the purpose of influencing any election for Federal Office." 2 USC 431(8)(A)(i), 11CFR 100.52(a).

III. Legal Analysis

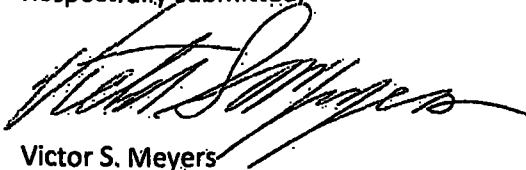
- a. Because the radio advertisement titled "A Great America" was released by the Ken Buck for Colorado campaign and does not have a statement stating that it was paid for by Ken Buck for Colorado and because said advertisement has been and continues to be aired on the radio, Ken Buck and Ken Buck for Colorado are in violation of 110.11 Communications; advertising; disclaimers (2 U.S.C 441d) (b)(1)
- b. Because the Denver Post and the Denver Post-owned Longmont Times-Call have provided Ken Buck and/or Buck for Colorado repeated opportunities to be advertised in one or both newspapers and because neither newspapers have allowed opposing candidates the same opportunities and because both newspapers have refused to interview opposing candidates and because their endorsement of Ken Buck is in contravention of their own defined metrics for endorsement and because both newspapers have refused to cover any events where opposing candidates have made public statements, any articles printed under the guise of news stories are de-facto advertisements for candidate Ken Buck. Since Ken Buck and Buck for Colorado have not disclosed said advertisements in campaign finance reports then he is in violation of campaign finance reporting requirements for not reporting in-kind contributions by the Denver Post.

IV. Conclusion

Upon information and belief, and based upon the facts relayed herein, Ken Buck and Buck for Colorado have violated the Federal Election Campaign Act of 1971, as amended, and Federal Election Commission Regulations. Accordingly, I respectfully request that the FEC conduct an immediate investigation into the violations outlined above and impose the maximum penalty under law.

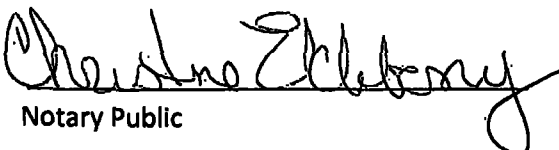
The foregoing is correct and accurate to the best of my knowledge, information and belief.

Respectfully submitted,



Victor S. Meyers

Sworn to and subscribed before me this 27 day of October, 2014



Notary Public

